

ORDINANCE NO.

#29
05-18-06

1 AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 506
2 ATLANTA STREET FROM CERTAIN DEVELOPMENT REGULATIONS
3 PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A
4 SINGLE FAMILY RESIDENCE.

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6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
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8 PART 1. This ordinance applies to the construction of a single family residence located
9 at 506 Atlanta Street. The two story structure will have a floor area of 2,424 square feet.

10 PART 2. Applicant has filed a waiver application requesting that Council waive Part 5
11 Section (D)(4) of Ordinance No. 20060309-058 which prescribes minimum and
12 maximum front yard setbacks for a lot on a block face on which three lots are developed
13 for a use described in Subsection (B);

- 14 (a) the lot with a principal structure closest to the street is disregarded, and the
15 lot with a principal structure farthest from the street is disregarded;
- 16 (b) the minimum front yard setback is equal to the minimum front yard setback
17 of the principal structure on the remaining lot minus ten percent of the
18 distance of that setback; and
- 19 (c) the maximum front yard setback is equal to the minimum front yard setback
20 of the principal structure on the remaining lot plus ten percent of the distance
21 of that setback.

22 PART 3. Council has considered the factors for granting a waiver from development
23 regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver
24 is justified because:

- 25 (A) the development limitation imposes undue hardship on the applicant; and
26 (B) the development proposed by the applicant will not adversely affect the
27 public health, safety, and welfare.

28 PART 4. A waiver is granted from Part 5 Section (D)(4) of Ordinance 20060309-058 to
29 allow the construction of a single family residence located at 506 Atlanta Street with a
30 front yard setback of no less than 28 feet.

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2 **PART 5.** This ordinance takes effect on _____, 2006.

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4 **PASSED AND APPROVED**

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8 _____, 2006

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Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk